



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
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Washington, D.C. 20231

| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
| 08/116,819    | 07/02/93    | BEERY                 | JB2-3               |

THOMAS A. BOSCHINSKI  
210 DAPPLEGATE WAY  
ALPHARETTA, GA 30202

26M2/1209

|                 |              |
|-----------------|--------------|
| COHEN, EXAMINER |              |
|                 |              |
| ART UNIT        | PAPER NUMBER |
| 2602            | 13           |

DATE MAILED:

12/09/94

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

*see attachment*



UNITED STATES DEPARTMENT OF COMMERCE  
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08/116,019

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08/116,019 09/02/93 BEERY

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12

### EXAMINER INTERVIEW SUMMARY RECORD

12/09/94

All participants (applicant, applicant's representative, PTO personnel):

(1) TOM BOSHINSKI REG. NO. 30,611 (3) JIM CROODY  
(2) CHERYL COHEN (4) \_\_\_\_\_

Date of interview 12-6-94

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description: \_\_\_\_\_

Agreement ☐ was reached with respect to some or all of the claims in question. ☒ was not reached.

Claims discussed: 1-48

Identification of prior art discussed: \_\_\_\_\_

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: DISCUSSED OVERALL  
PROSECUTION OF THE CASE AND SPECIFICALLY DISCUSSED AN OVERVIEW  
OF THE CLAIMS AND HOW THEY DIFFER FROM THE '734 AND  
'947 PATENTS AS WELL AS THE REEXAMINATION OF THE '734  
PATENT.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

Examiner's Signature

Serial Number: 08/116,019

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Art Unit: 2602

1. In view of concurrent litigation, and in order to avoid duplication of effort between the two proceedings, action in this reissue application is STAYED until such time as it is evident to the examiner that (1) a stay of the litigation is in effect, (2) the litigation has been terminated, (3) there are no significant overlapping issues between the application and the litigation, or (4) applicant requests that the application be examined.

2. The patent sought to be reissued by this application is involved in litigation. Any documents and/or materials, including the defenses raised against validity or against enforceability because of fraud or inequitable conduct, which would be material to the examination of this reissue application are required to be made of record in response to this action.

Due to the related litigation status of this application, extensions of time under the provisions of 37 C.F.R. § 1.136(a) will not be permitted during the prosecution of this application.

THE TIME PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE ONE MONTH FROM THE DATE OF THIS ACTION. THIS ONE MONTH PERIOD MAY BE EXTENDED ONLY UPON A SHOWING OF CLEAR JUSTIFICATION PURSUANT TO 37 C.F.R. 1.136(b).

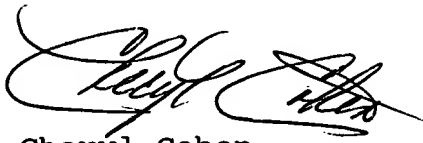
Serial Number: 08/116,019

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Art Unit: 2602

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Cohen whose telephone number is (703) 308-5080.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.



Cheryl Cohen  
December 6, 1994



James J. Groody  
Supervisory Patent Examiner  
Art Unit 262